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GOOGLE INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.,	
	Plaintiff,
v.	
GOOGLE INC.,	
	Defendant.

Case No. 3:10-cv-03561-WHA

**GOOGLE INC.'S ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL  
EXHIBIT 3 TO THE REPLY  
ASTRACHAN DECLARATION IN  
SUPPORT OF MOTION FOR SUMMARY  
JUDGMENT ON COUNT VIII OF  
PLAINTIFF ORACLE AMERICA'S  
AMENDED COMPLAINT**

Judge: Hon. William Alsup

Hearing: 2:00 p.m., September 15, 2011

1 Defendant Google Inc. ("Google") hereby requests permission to lodge Exhibit 3 to the  
2 Reply Astrachan Declaration under seal pursuant to Federal Rule of Civil Procedure 26(c) and  
3 Civil Local Rules 3-17(d), 7-11 and 79-5.

4 Exhibit 3 to the Reply Astrachan Declaration is Professor Astrachan's Rebuttal Expert  
5 Report. The Astrachan Rebuttal Report discusses and quotes information that has been  
6 designated by Plaintiff Oracle America, Inc. ("Oracle") as Source Code – Highly Confidential  
7 pursuant to the Order Approving Stipulated Protective Order Subject to Stated Conditions  
8 entered in this case. Dkt. No. 68.

9 Google is lodging a copy of the Astrachan Rebuttal Report with proposed redactions  
10 (highlighted in grey in the lodged document) that it believes are narrowly tailored to protect the  
11 information that Oracle has designated as Source Code – Highly Confidential. The proposed  
12 redactions appear in paragraphs 14, 16, 18, 21, 28, 29, 30, 58 and Exhibit F to the Astrachan  
13 Rebuttal Report. Google states no position whether disclosure of discussion and quotations of  
14 information marked by Oracle as Source Code – Highly Confidential material would cause harm  
15 to Oracle. Google would not oppose an order making the Astrachan Rebuttal Report public.

16 Notice is hereby provided to Oracle that, pursuant to Civil Local Rule 79-5(d), it must  
17 file a declaration supporting the sealability of the above-listed document and a proposed sealing  
18 order.

19 Dated: August 29, 2011

KEKER & VAN NEST LLP

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21 By: s/ Michael S. Kwun  
22 MICHAEL S. KWUN  
23 Attorneys for Defendant  
24 GOOGLE INC.  
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